

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

**ZOOM Clerk's Minutes**  
**Before the Honorable Kea W. Riggs**

**CASE NO.** 1:19-CR-03595-KWR

**DATE:** September 24, 2020

**TITLE:** *USA v. Angelita Benally*

**COURTROOM CLERK:** C. Bevel

**COURT REPORTER:** J. Goehl

**COURT IN SESSION:** 1:29PM-1:47PM

**TOTAL TIME:** 18 MINUTES

**TYPE OF PROCEEDING:** STATUS CONFERENCE ON OUTSTANDING RESTITUTION

**ATTORNEYS PRESENT FOR PLAINTIFF(S):**

Frederick Mendenhall

**ATTORNEYS PRESENT FOR DEFENDANT(S):**

Emily Carey

**PROCEEDINGS:**

1:29pm Court in session, counsel enter appearances, defendant present with counsel, all appearing by zoom.

1:30pm Court has reviewed second addendum and objections to the second addendum, also a third addendum filed today.

1:30pm All counsel has received and reviewed the addendum. Defendant's objection remains.

1:31pm Mr. Mendenhall addresses court regarding outstanding restitution and the claim for personal expenses claimed by victim, victim wants to be heard on amounts claimed. Mr. Mendenhall does not believe he can prove claimed amounts for personal property of Mr. Maganda.

1:34pm Court is not inclined to grant the requested restitution for personal items.

1:36pm Mr. Mendenhall responds regarding valuation of vehicle, will provide further documentation.

1:38pm Ms. Carey responds regarding claims for personal property and valuation of vehicle.

1:43pm Court will reset hearing for October 7, 2020 at 10:00 via zoom.

1:44pm Court indicates restitution will go forward without testimony of victim. Victim could have addresses the court at the time of sentencing and did not.

1:44pm Mr. Mendenhall indicates this Court can hold restitution open for longer than 90 days.

1:45pm Ms. Carey maintains the objection that Mr. Maganda is not a victim for purposes of restitution.

1:47pm Court in recess.